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Dated: August 28, 2003

Signature

(Staci Harris)

Docket No.: HO-P02190US1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Nicholas Thomas, et al.

Application No.: Not Yet Assigned

Group Art Unit: Not Yet Assigned

Filed: August 28, 2003

Examiner: Not Yet Assigned

For: MICROFABRICATED APPARATUS FOR
CELL BASED ASSAYS

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
Alexandria, VA 22131

Dear Sir:

Pursuant to 37 CFR 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed in conjunction with the filing of the Divisional application on the merits as far as is known to the undersigned.

The patent(s) or publications in the attached form PTO/SB/08 (facsimile) are not supplied because they were previously cited by or submitted to the Office in a prior application No. 09/673,169, filed November 18, 2000 and relied upon in this application for an earlier filing date under 35 U.S.C. 120.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2375, under Order No. 10104195.

Dated: August 28, 2003

Respectfully submitted,

By 

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Registration No.: 45,872

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PTO/SB/08A (08-00)

Approved for use through 10/31/2002.OMB 0651-0031

U. S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO			Complete if Known		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			Application Number	09/673,169	
			Filing Date	March 17, 1999	
			First Named Inventor	Nicholas Thomas	
			Group Art Unit	N/A	
			Examiner Name	Not Yet Assigned	
Sheet	1	of	1	Attorney Docket Number	HO-P02190US0

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A	6,130,098		Kalyan Handique, et al.	10-10-2000	
	B	6,143,248		Gregory Kellogg, et al.	07-07-2000	
	C	5,637,469*		Wilding Peter, et al.	08-09-1997	
	D	4,018,652 *		Lanham, James W. et al.	04-19-1977	
	E	4,077,845*		Johnson, Leighton Clifford	03-07-1978	
	F	4,318,994*		Meyer, Michael C. et al.	03-09-1982	
	G	5,593,838*		Zanzucchi, Peter J. et al.	01-14-1997	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	H		WO 98/07019		Kellogg, Gregory, et al.	02-19-1998		
	I		FR 26/57879*		Imedex	08-09-1991		
	J		EP 07/45856*		Bio Merieux Vitek Inc.	12-04-1996		
	K		EP 02/82840*		Becton Dickinson Co.	09-21-1988		
	L		DE 29/500587*		Schrieber, Hans	05-15-1996		
	M		WO 96/14933*		Univ. Pennsylvania	05-23-1996		
	N		WO 97/21090*		Gamera Bioscience	06-12-1997		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete If Known	
				Application Number	09/673,169
				Filing Date	November 18, 2000
				First Named Inventor	Nicholas Thomas
				Group Art Unit	1744
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	P02190US0 (10104195)

U.S. PATENT DOCUMENTS						
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		Number	Kind Code ² (if known)			
	A	5,653,939		Hollis, Mark A. et al.	08/05/1997	

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		Office ³	Number ⁴	Kind Code ⁵ (if known)				

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Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²

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